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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,877	03/15/2004	Jose Madeira De Freitas Garcia	G&C 30566.318-US-01	1939
55895	7590	04/24/2008		
GATES & COOPER LLP			EXAMINER	
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LOS ANGELES, CA 90045			ART UNIT	PAPER NUMBER
			2176	
			MAIL DATE	DELIVERY MODE
			04/24/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/800,877

Applicant(s)

GARCIA ET AL.

Examiner

Henry Orr

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2008.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-7 and 10-14 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 3-7 and 10-14 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/26/2008 has been entered.

DETAILED ACTION

1. This action is responsive to applicant's amendment dated 2/26/2008.
2. Claims 3-7 and 10-14 are pending in the case.
3. Claims 1, 2, 8, 9 and 15-21 are cancelled.
4. Claims 3, 4, 6, 7, 10, 11, 13 and 14 are independent claims.

Applicant's Response

5. In Applicant's response dated 2/26/2008, applicant has amended the following:
 - a) Claims 3, 4, 6, 7, 10, 11, 13 and 14

Examiner notes to Applicant to make certain that all amendments are marked appropriately. For example, "displaying" in line 14 of claim 1 was a new term that was not underlined.

Claim Objections

6. The claims are objected to because the lines are crowded too closely together, making reading difficult. Substitute claims with lines one and one-half or double spaced on good quality paper are required. See 37 CFR 1.52(b).

Claims 1, 4, 6, 7, 10, 11, 13 and 14 are objected to for the following informalities:

"Subsets of the Sheets" should be amended to "Subsets of the Sheet Sets" in lines 5, 6, 15 of claim 1, lines 5, 6 of claim 4, lines 5, 6 of claim 6, lines 5, 6 of claim 7, lines 6, 7, 16 of claim 10, lines 6, 7 of claim 11, lines 6, 7 of claim 13, lines 6, 7 of claim 14 to provide proper antecedent basis. For examining purposes, Examiner will interpret "Subsets of the Sheets" to be "Subsets of the Sheet Sets".

Appropriate corrections are required.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. **Claims 10-14 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claims raises a question as to whether the claims are directed merely to abstract ideas that are not tied to a technological art, environment, or machine which would**

result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101. See MPEP § 2106

Claims 10, 11, 13 and 14:

Claims 10, 11, 13 and 14 recite an **“apparatus”** comprising a **“graphics program”**. The recited **“graphics program”** is merely computer software that performs various functions. Thus, the recited **“apparatus”** is comprised merely of computer software and is not a process, a machine, a manufacture or a composition of matter.

Accordingly, the claims fail to recite statutory subject matter as defined in 35 U.S.C. § 101.

Claim 12:

Dependent claim 13 is rejected for fully incorporating the deficiency of base claim 11.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. **Claims 3-7 and 10-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Bonney et al. (hereinafter “Bonney”), U.S. Patent No. 6,466,953 B1.**

Claim 3:

Bonney teaches a graphic program such as a computer aided design application program (see abstract). **(claim 3; i.e., performing one or more functions of a Sheet Set Manager in the graphics program)** Examiner interprets the computer aided design application program to be capable of functioning as a Sheet Set Manager (see abstract).

Bonney teaches *“Drawings, in general, may include many details of the models such as, but not limited, alternate views, section views, detail views of certain aspects of each of the models”* (see col. 1 lines 26-30). **(claim 3; i.e., wherein the Sheet Set Manager manages one or more Sheet Sets, Subsets of the Sheet Sets and Sheets, wherein each of the Sheet Sets comprises a collection of the Subsets of the Sheets and the Sheets, each of the Subsets of the Sheet[s] Sets comprises a collection of the Sheets, and each of the Sheets comprises a drawing, layout or view)** Examiner considers the drawings to be a set of drawing sheets and the section views to be subsets of the sheets.

Bonney teaches *“where the graphical icons are interrelated to one another representing a hierarchical relationship among multiple objects of one or more sheets, and the sheets are included within a drawing by a computer aided design (CAD) application program”* (abstract). **(claim 3; i.e., and the Sheet Set Manager displays a logical structure for the Sheet Sets, the Subsets of the Sheet Sets and the Sheets**

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on the computer as a hierarchical tree representation, and the hierarchical tree representation of the Sheet Sets shows the Subsets of the Sheets Sets and the Sheets contained within the Sheet Sets, as well as the Sheets contained within the Subsets of the Sheet Sets;) Examiner considers the hierarchical relationship amongst the graphical icons that represents drawing sheets to be a display of a logical structure for sheet sets, subsets of the sheet sets, and sheets. Bonney's Figure 2 illustrates the hierarchical logical structure displayed on a computer (see Figure 2; ref. #121).

Bonney teaches a CAD application displayed as a window including a title block for displaying a "page-by-page" summary of the Sheet Set, the Subsets of the Sheet[s] Sets contained within the Sheet Sets, and the Sheets contained within the Sheet Sets and the Subsets of the Sheets Sets. **(claim 3; i.e., and wherein the Sheet Set Manager is displayed as a window that includes a "Sheet List" function for displaying a page-by-page summary of the Sheet Set, the Subsets of the Sheet[s] Sets contained within the Sheet Sets, and the Sheets contained within the Sheet Sets and the Subsets of the Sheets Sets.)** Examiner interprets the Title block 410 as taught by Bonney to anticipate a "Sheet List" function for displaying a "page-by-page" summary because the title block contains "page-by-page" summary information within the drawing sheet order field 610 and WHERE USED field 615 of the Title block (see Figure 7B).

Claim 4:

Bonny teaches a graphic program such as a computer aided design application program (see abstract). **(claim 4; i.e., performing one or more functions of a Sheet Set Manager in the graphics program)** Examiner interprets the computer aided design application program to be capable of functioning as a Sheet Set Manager (see abstract).

Bonney teaches *"Drawings, in general, may include many details of the models such as, but not limited, alternate views, section views, detail views of certain aspects of each of the models"* (see col. 1 lines 26-30). **(claim 4; i.e., wherein the Sheet Set Manager manages one or more Sheet Sets, Subsets of the Sheet Sets and Sheets, wherein each of the Sheet Sets comprises a collection of the Subsets of the Sheet[s] Sets and the Sheets, each of the Subsets of the Sheet[s] Sets comprises a collection of the Sheets, and each of the Sheets comprises a drawing, layout or view)** Examiner considers the drawings to be a set of drawing sheets and the section views to be subsets of the sheets.

Bonney teaches *"where the graphical icons are interrelated to one another representing a hierarchical relationship among multiple objects of one or more sheets, and the sheets are included within a drawing by a computer aided design (CAD) application program"* (abstract). **(claim 4; i.e., and the Sheet Set Manager displays a logical structure for the Sheet Sets, the Subsets of the Sheet Sets, and the Sheets on the computer as a hierarchical tree representation, and the hierarchical tree representation of the Sheet Sets shows the Subsets of the Sheet[s] Sets and the Sheets contained within the Sheet Sets, as well as the Sheets contained within**

the Subsets of the Sheet Sets;) Examiner considers the hierarchical relationship amongst the graphical icons that represents drawing sheets to be a display of a logical structure for sheet sets, subsets, and sheets. Bonney's Figure 2 illustrates the hierarchical logical structure displayed on a computer (see Figure 2; ref. #121).

Bonney teaches a CAD application displayed as a window including a hierarchical relationship amongst graphical icons that represents drawing sheets. **(claim 4; i.e., wherein the Sheet Set Manager is displayed as a window that includes a "View List" function for managing views of the Sheets in the Subsets of the Sheet Sets and the Sheet Sets.)** Examiner interprets the displayed hierarchical relationship of the sheets as taught by Bonney to anticipate a "View List" function managing views of the Sheets in the Subsets of the Sheet Sets and the Sheet Sets because the sheets are capable of representing section views of the drawings (see col. 1 lines 26-30, col. 4 lines 41-49, Figure 5).

Claim 5:

Bonney teaches *"Designer proceeds to create drawing defining the design. Because these designs may be defined using geometric models etc...Drawings may include many details of the models such as alternative views, sections, detail views of certain aspects of each of the models"* (see col.1 lines 17-30). **(claim 5; i.e., wherein the Views are defined regions within the Sheets.)** Examiner considers the detailed views to be defined geometric regions of the drawing sheets.

Claim 6:

Bonney teaches a graphic program such as a computer aided design application program (see abstract). **(claim 6; i.e., performing one or more functions of a Sheet Set Manager in the graphics program)** Examiner interprets the computer aided design application program to be capable of functioning as a Sheet Set Manager (see abstract).

Bonney teaches *"Drawings, in general, may include many details of the models such as, but not limited, alternate views, section views, detail views of certain aspects of each of the models"* (see col. 1 lines 26-30). **(claim 6; i.e., wherein the Sheet Set Manager manages one or more Sheet Sets, Subsets of the Sheet Sets and Sheets, wherein each of the Sheet Sets comprises a collection of the Subsets of the Sheet[s] Sets and the Sheets, each of the Subsets of the Sheet[s] Sets comprises a collection of the Sheets, and each of the Sheets comprises a drawing, layout or view)** Examiner considers the drawings to be a set of drawing sheets and the section views to be subsets of the sheets.

Bonney teaches *"where the graphical icons are interrelated to one another representing a hierarchical relationship among multiple objects of one or more sheets, and the sheets are included within a drawing by a computer aided design (CAD) application program"* (abstract). **(claim 6; i.e., and the Sheet Set Manager displays a logical structure for the Sheet Sets, Subsets of the Sheet Sets and the Sheets on the computer as a hierarchical tree representation, and the hierarchical tree**

representation of the Sheet Sets shows the Subsets of the Sheet[s] Sets contained within the Sheet Sets as well as the Sheets contained within the Subsets of the Sheet Sets;) Examiner considers the hierarchical relationship amongst the graphical icons that represents drawing sheets to be a display of a logical structure for sheet sets, subsets, and sheets. Bonney's Figure 2 illustrates the hierarchical logical structure displayed on a computer (see Figure 2; ref. #121).

Bonney teaches *"It is important to note that sheets may be moved between files. For example, the sheets represented by icons 310, 320 and 330 may originally have been stored in a file while the sheet represented by icon 330 may have been stored in a separate file. After the user drags icon 330 to icon 310, the sheet represented by icon 330 is moved to the file containing the four sheets represented by icons 310, 320 and 330. Thus, a user may move sheets between files graphically"* (see col. 6 lines 13-20).

(claim 6; i.e., wherein the Sheet Set Manager is displayed as a window that includes a "Resource Drawings" function for accessing files underlying the Sheets in the Subsets of the Sheets Sets and the Sheet Sets.) Examiner interprets moving sheets between files to anticipate the recited "Resource Drawings" function because moving the sheets as taught by Bonney involves accessing the underlying files of the Sheets in the Subsets of the Sheets Sets and the Sheet Sets.

Claim 7:

Bonney teaches a graphic program such as a computer aided design application program (see abstract). **(claim 7; i.e., performing one or more functions of a Sheet**

Set Manager in the graphics program) Examiner interprets the computer aided design application program to be capable of functioning as a Sheet Set Manager (see abstract).

Bonney teaches *"Drawings, in general, may include many details of the models such as, but not limited, alternate views, section views, detail views of certain aspects of each of the models"* (see col. 1 lines 26-30). **(claim 7; i.e., wherein the Sheet Set Manager manages one or more Sheet Sets, Subsets of the Sheet Sets and Sheets, wherein each of the Sheet Sets comprises a collection of the Subsets of the Sheet[s] Sets, each of the Subsets of the Sheet[s] Sets comprises a collection of the Sheets, and each of the Sheets comprises a drawing, layout or view)** Examiner considers the drawings to be a set of drawing sheets and the section views to be subsets of the sheets.

Bonney teaches *"where the graphical icons are interrelated to one another representing a hierarchical relationship among multiple objects of one or more sheets, and the sheets are included within a drawing by a computer aided design (CAD) application program"* (abstract). **(claim 7; i.e., and the Sheet Set Manager displays a logical structure for the Sheet Sets, Subsets of the Sheet Sets and the Sheets on the computer as a hierarchical tree representation, and the hierarchical tree representation of the Sheet Sets shows the Subsets of the Sheets and the Sheets contained within the Sheet Sets, as well as the Sheets contained within the Subsets of the Sheet Sets;)** Examiner considers the hierarchical relationship amongst the graphical icons that represents drawing sheets to be a display of a logical structure

for sheet sets, subsets, and sheets. Bonney's Figure 2 illustrates the hierarchical logical structure displayed on a computer (see Figure 2; ref. #121).

Bonney teaches a CAD application that provides a function for displaying the Sheet Sets, Subsets of the Sheet Sets and Sheets as an organized collection of graphical thumbnail properties (see Figure 5). **(claim 7; i.e., wherein the Sheet Set Manager provides a function for displaying the Sheet Sets, Subsets of the Sheet Sets and Sheets as an organized collection of graphical thumbnail previews or properties.)** Examiner interprets the graphical icons with corresponding names of the sheets to anticipate "graphical thumbnail properties" because the names describe a quality or trait belonging to the corresponding individual sheet.

Claim 10-14:

Claims 10, 11, 12, 13 and 14 are apparatus claims and are substantially encompassed in method claims 3, 4, 5, 6 and 7 respectively; therefore the apparatus claims are rejected under the same rationale as method claims 3, 4, 5, 6 and 7 above.

Response to Arguments

10. Applicant's arguments filed 2/26/2008 have been fully considered but they are not persuasive.

Rejections under 35 U.S.C. 102(b):

In respect to claims 3, 4, 6, 7, 10, 11, 13 and 14, Applicant argues that Bonney does not describe a Sheet Set Manager that manages Sheet Sets, Subsets of the Sheet Sets, and Sheets. Bonney merely describes drawings generally, where a drawing may include views and may be comprised of multiple sheets. Specifically, Bonney says nothing about Sheets Sets containing both Subsets and Sheets. In addition, Bonney says nothing about Subsets of Sheets Sets containing Sheets. Finally, Bonney says nothing about a hierarchical relationship between Sheet Sets, Subsets of Sheets, and Sheets.

Instead, the hierarchical relationship shown in FIG. 2 of Bonney refers only to relationships between sheets, i.e., each icon 200-218 in FIG. 2 is a sheet. Nowhere does FIG. 2 of Bonney refer to Sheets Sets containing both Subsets and Sheets, or Subsets of Sheet Sets containing Sheets. (see Response p. 12-13).

Examiner respectfully disagrees.

Firstly, in respect to Examiner's interpretation of applicant's claim language, Examiner interprets the scope of a "one or more Sheet Sets" to cover a Sheet Set having one sheet. Examiner interprets the scope of a "one or more Subsets of the Sheet Sets" to cover a Subset of the Sheet Set having one sheet. Examiner interprets the scope of "one or more Sheets" to cover one sheet.

Furthermore, Applicant agrees that Bonney teaches a drawing which may include views (see Response p. 12 2nd full paragraph). Examiner interprets the drawing and at least one section view as taught by Bonney to read on a "Sheet Set"; however the drawing would also read on a "Sheet Set" having one sheet. Examiner interprets the section view as taught by Bonney of the drawing to read on a "Subset of the Sheet Set" having one sheet because the section view contains a sub-part ("subset") of the drawing. Examiner interprets the drawing or the section view to also read on "one or more Sheets" because a drawing and a section view are separate sheets. Therefore, the drawing including views (e.g. section view) as taught by Bonney anticipates "one or more Sheet Sets", and "one or more Subsets of the Sheet Sets" and "one or more Sheets". **(claim 3; i.e., wherein the Sheet Set Manages one or more Sheet Sets, Subsets of the Sheet Sets and Sheets)**. Thus, Bonney does teach or suggest the concept of at least one Sheet Set or Subset of Sheet Sets as recited by Applicants' claims.

Secondly, in respect to Examiner's interpretation of applicant's claim language, Examiner interprets "each of the Sheet Sets" to cover the scope of only one Sheet Set (e.g. drawing including at least one section view as taught by Bonney). Examiner interprets "a collection of the Subsets of the Sheet[s] Set" to cover the scope of a collection of only one subset of the Sheet Set having one sheet (e.g. section view as taught by Bonney). Examiner interprets "Sheets" to cover the scope of having only one sheet (e.g. drawing or section view is a sheet). Therefore, the drawing including views (e.g. section view) as taught by Bonney anticipates a Sheet set (e.g. drawing including

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section view) comprising a collection of the Subset of the Sheet Set (e.g. section view) and the Sheets (e.g. drawing or section view is a sheet). **(claim 3; i.e., wherein each of the Sheet Sets comprises a collection of the Subsets of the Sheet[s] Sets and the Sheets)**. Thus, Bonney does teach or suggest the concept of at least one Sheet Set or Subset of Sheet Sets as recited by Applicants' claims.

Finally, in respect to Examiner's interpretation of applicant's claim language, Examiner interprets "each of the Subsets of the Sheet[s] Set" to cover the scope of having **only** one Subset of the Sheet Set (e.g. section view as taught by Bonney). Examiner interprets "a collection of the Sheets" to cover the scope of a collection of **only** one sheet (e.g. section view as taught by Bonney). Therefore, the drawing including views (e.g. section view) as taught by Bonney anticipates the Subset of the Sheet Set (e.g. section view as taught by Bonney) comprising a collection of the Sheets (e.g. section view as taught by Bonney), and each of the Sheets comprises a drawing, layout or view (e.g. section view as taught by Bonney). **(claim 3; each of the Subsets of the Sheet Sets comprises a collection of the Sheets, and each of the Sheets comprises a drawing, layout or view)** Thus, Bonney does teach or suggest the concept of at least one Sheet Set or Subset of Sheet Sets as recited by Applicants' claims.

In addition, Bonney's Figure 2 illustrates the hierarchical relationship of sheets as admitted by Applicant (see Response p. 8 3rd full paragraph). Examiner interprets the section view to be related to the drawing (see Bonney; col. 1 lines 26-36). Examiner

interprets Bonney's Figure 2 to be capable of illustrating a hierarchical relationship between a drawing and the drawing's section view. Therefore, Examiner submits that the relationship between drawings and section views and the hierarchical relationship demonstrated amongst sheets in Bonney's Figure 2 (e.g. drawing or section view is a sheet) anticipates relationships between a Sheet Set (e.g. drawing and section view) containing both a Subset (e.g. section view) and Sheets (e.g. drawing or section view is a sheet) **(claim 3; i.e., and the Sheet Manager displays a logical structure for the Sheet Sets, the Subsets of the Sheet Sets and the Sheets on the computer as a hierarchical tree representation, and the hierarchical tree representation of the Sheet Sets shows the Subsets of the Sheets Sets and the Sheets contained within the Sheet Sets, as well as the Sheets contained within the Subsets of the Sheet Sets);** Thus, Bonney does teach or suggest a hierarchical relationship between Sheet Sets, Subsets of the Sheets, and Sheets.

Applicant's arguments (e.g. "Sheet list", "View List", "Resource Drawings") with respect to claim 3, 4, 6, 7, 10, 11, 13 and 14 have been considered but are moot in view of the new ground(s) of rejection.

Examiner notes to Applicant that amending the claims from "tab" to "function" broadens the scope of the claims, significantly. For example, a "tab" scope may cover requiring user input such as a selection from a mouse to select the "tab". In contrast, a "function" scope may cover the application code which may be "activated" anytime during run-time such as when the application displays the graphical user interface to the user.

For at least the foregoing reasons, Examiner maintains prior art rejections.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Henry Orr whose telephone number is (571) 270 1308. The examiner can normally be reached on Monday thru Friday 8 to 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on (571) 272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

4/17/2008
HO

/Rachna S Desai/
Primary Examiner, Art Unit 2176